



# **Minutes**

**Ordinary Meeting of Council**

**8 September 2015**

**ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS, MORUYA**  
**ON TUESDAY 8 SEPTEMBER 2015**

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**MINUTES OF THE  
ORDINARY MEETING OF COUNCIL  
HELD IN THE COUNCIL CHAMBERS, MORUYA  
ON TUESDAY, 8 SEPTEMBER 2015  
COMMENCING AT 10.00AM**

**PRESENT:** Councillor Lindsay Brown, Mayor (in the Chair)  
Councillors Neil Burnside, Gabi Harding, Liz Innes, Milton Leslight and Peter Schwarz

**Staff:** Dr Catherine Dale, General Manager  
Mr L Usher, Director, Planning and Sustainability Services  
Mr W Sharpe OAM, Director, Infrastructure Services  
Mr A O'Reilly, Director, Finance and Business Development  
Mrs K Arthur, Director, Community, Arts and Recreation  
Mrs C Hodges, Minute Secretary  
Mrs K Green, Minute Secretary

**1. WELCOME AND EVACUATION MESSAGE**

The Mayor welcomed everyone to the meeting, acknowledged the Traditional Owners and advised of the Evacuation Procedure.

**2. APOLOGIES**

**APOLOGY**

**15/76 MOTION** Councillor Harding/Councillor Burnside

THAT apologies be received from Councillors Brice and Pollock and leave of absence be granted.

(The Motion on being put was declared **CARRIED**)

**3. PETITIONS**

**TOURISM VISITOR SERVICES PROPOSAL**

File Ref: E11.5138

**15/77 MOTION** Councillor Innes/Councillor Leslight

THAT the petitions relating to the Visitor Information Centres, as tabled by Councillor Innes, be received and noted and considered in conjunction with GMR15/027.

(The Motion on being put was declared **CARRIED**)

**4. QUESTIONS FROM PUBLIC GALLERY (AGENDA ITEMS ONLY)**

(Minutes of Questions from the Public Gallery are a summary only and do not purport to be a complete transcript of the proceedings.)

**PF15/016 GMR15/027 Tourism Visitor Services Proposal**

File Ref: E15.9042; E11.5138

Mr David Seymour, representing the Batemans Bay Chamber of Commerce, addressed Council in relation to item GMR15/02 Tourism Visitor Services Proposal. A copy of Mr Seymour's submission is available on Council's website.

**PF15/017 GMR15/027 Tourism Visitor Services Proposal**

File Ref: E15.9042; E11.5138

Ms Laurelle Pacey addressed Council in relation to item GMR15/02 Tourism Visitor Services Proposal. A copy of Ms Pacey's submission is available on Council's website.

**EXTENSION OF TIME**

**15/78 MOTION** Councillor Harding/Councillor Innes

THAT Ms Pacey be granted an extension of time to complete her presentation.

(The Motion on being put was declared **CARRIED**)

**5. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**15/79 MOTION** Councillor Harding/Councillor Burnside

THAT the minutes of the Ordinary Meeting held on 25 August 2015 be confirmed.

(The Motion on being put was declared **CARRIED**)

**6. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA**

Nil

**7. MAYORAL REPORTS**

Nil

**8. NOTICES OF MOTION**

Nil

**9. QUESTIONS ON NOTICE FROM COUNCILLORS**

Nil

**10. GENERAL MANAGER'S REPORTS**

**GMR15/026 NSW COASTAL CONFERENCE 2015**

File Ref: E14.8054

**15/80 MOTION** Councillor Harding/Councillor Burnside

THAT Council be represented at the NSW Coastal Conference 2015 to be held on 10 – 13 November 2015 in Forster and :

1. Council nominate Councillor Gabi Harding to attend the Conference;
2. Council's representative be reimbursed out of pocket expenses in accordance with the Councillors' Expenses and Facilities Policy.

(The Motion on being put was declared **CARRIED**)

**GMR15/027 TOURISM VISITOR SERVICES PROPOSAL**

File Ref: E11.5138

**15/81 MOTION** Councillor Innes/Councillor Harding

THAT:

1. Council note the feedback from tourism businesses and the community on the Tourism Visitor Services Proposal Report GMR15/005.
2. Council note the advice of its Tourism Advisory Committee.
3. Council seeks Expressions of Interest from suitably qualified persons, not for profit organisations or businesses to operate the Batemans Bay Visitor Information Centre, or Narooma Visitor Information Centre or both.
4. If a new model for managing visitor centres is implemented, that the ongoing savings that result are reattributed to remain in Council's allocation of funding for tourism.

(The Motion on being put was declared **CARRIED**)



**11. PLANNING AND SUSTAINABILITY REPORTS**

Nil

## 12. INFRASTRUCTURE REPORTS

### IR15/038 FUNDING OFFER - 2015-16 PUBLIC RESERVES MANAGEMENT FUND PROGRAM

File Ref: E13.7189; E13.7314

#### 15/82 MOTION Councillor Harding/Councillor Burnside

THAT:

1. Council endorse action taken to secure the grant of \$60,000 from the NSW Government's 2015-16 Public Reserves Management Fund Program towards the upgrade of the BBQ and sheltered picnic area, bird proofing of the exposed rafters in the pavilion and construction of a new concrete path at the Moruya Quarry Wharf Reserve.
2. Council write and thank The Hon Niall Blair MLC, Minister for Primary Industries, Minister for Lands and Water for approving the grant under the NSW Government's 2015-16 Public Reserves Management Fund Program.

(The Motion on being put was declared **CARRIED**)

Councillor Harding publically acknowledged the work of Mrs Christine Adams on the Moruya Quarry Park sunset steering committee.

**13. FINANCE AND BUSINESS DEVELOPMENT REPORTS**

**FBD15/066 ROAD WIDENING, MONTAGUE STREET, NAROOMA**

File Ref: 94.7212.B

**15/83 MOTION** Councillor Burnside/Councillor Schwarz

THAT:

1. All actions necessary be taken for the acquisition of land required for road widening within Lot 1 Section 13 Deposited Plan 758754 in accordance with Council's Code of Practice for Acquiring Land for Public Purposes.
2. All survey and legal costs associated with the land acquisition be borne by Council.

(The Motion on being put was declared **CARRIED**)

**FBD15/067 END OF YEAR FINANCIAL REVIEW**

File Ref: E15.9016

**15/84 MOTION** Councillor Harding/Councillor Burnside

THAT:

1. The year-end budget review report for 30 June 2015 be received and noted.
2. Carry forward/revotes from 2014/15 into 2015/16 be adopted. The net amount of Council funds required to support the revotes in 2015/16 are:
  - a) General Fund \$973,717
  - b) Water Fund \$202,754
  - c) Sewer Fund \$159,043
  - d) Waste Fund \$496,135

(The Motion on being put was declared **CARRIED**)

**14. COMMUNITY, ARTS AND RECREATION REPORTS**

**CAR15/010 ACCEPTANCE OF FUNDING FROM DEPARTMENT OF SOCIAL SERVICES (DSS)**

File Ref: L.0332

**15/85 MOTION** Councillor Harding/Councillor Burnside

THAT Council accepts the service system development funding of \$20,000 from the Department of Social Services and executes the agreement by signing and affixing the seal of Council.

(The Motion on being put was declared **CARRIED**)

**15. DELEGATE REPORT**

**DR15/035 2013 AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION CONFERENCE**

File Ref: E91.3255; E95.9421

**15/86 MOTION** Councillor Harding/Councillor Burnside

THAT Councillor Brice's delegate's report on 2013 Australian Local Government Women's Association Conference held in Gosford and in 2013 be received and noted.

(The Motion on being put was declared **CARRIED**)

## 16. QUESTIONS/URGENT BUSINESS

Nil

## 17. DEALING WITH MATTERS IN CLOSED SESSION

In accordance with Section 10A(4) of the Local Government Act 1993, the General Manager invited members of the public to make verbal representations to the Council on whether the meeting should be closed to consider a confidential matter.

The matter is classified confidential under Section 10A(2)(g) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:

- (g) advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege

It was noted that there were no public verbal representations on whether the meeting should be closed to consider the matter.

File Ref: E00.4856.PC

## 15/87 MOTION Councillor Burnside/Councillor Schwarz

THAT pursuant to Section 10A of the Local Government Act, 1993 the following briefing be dealt with in Closed Session for the reasons specified below:

### Briefing - Property Matter

This briefing is confidential in accordance with s10(A)(2)(g) of the Local Government Act because it contains advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege, and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

(The Motion on being put was declared **CARRIED**)

At 10.33am the Ordinary Meeting of Council moved into Closed Session.

At 10.40am the Ordinary Meeting of Council resumed.

The General Manager advised Council was briefed on a confidential property matter in Closed Session.

**THE MEETING CLOSED AT 10.41AM**

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CHAIRPERSON

Chairperson of the Ordinary Council Meeting held on Tuesday 22 September 2015 at which meeting the signature hereon was subscribed.